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**IN THE UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE**

**VICKI R. SEIDEL**

Plaintiff,  
 v.

**UNITED STATES OF AMERICA,**  
 Defendant.

CASE NO: 5:07-CV-03141 - JF  
 Honorable Judge Jeremy Fogel  
 MOTION FOR PARTIAL  
 RECONSIDERATION OF ORDER  
 DENYING MOTION FOR  
 TEMPORARY RESTRAINING ORDER

**MOTION FOR PARTIAL RECONSIDERATION OF ORDER  
 DENYING MOTION FOR TEMPORARY RESTRAINING ORDER**

Comes now the defendant, Vicki R. Seidel, by and through her attorneys of record, Robert Alan Jones and Chris Dietrich, and moves for partial reconsideration of this Court's order denying her Motion for Temporary Restraining Order. This motion is based on the fact that the application for temporary restraining order and the memorandum of points and authorities attached here and below demonstrate as a matter of law that the Notice of Levy delivered to Marc Goodwin, Inc., her employer, is defective on its face, and its terms conflict with both the Internal Revenue Code, and the Internal Revenue Service Internal Revenue Manual.

1 Therefore, at a minimum, the Commissioner of the Internal Revenue should be temporarily  
2 enjoined from levying statutorily exempt portions of Mrs. Seidel's salary and wages. The  
3 Commissioner should also be enjoined from levying on this non-assessed taxpayer's personal  
4 50% interest in her salary in the community property state of California.

5 Counsel for plaintiff have contacted the government attorney assigned to this case, and the  
6 office of the responsible Internal Revenue Service officer, and informed them of the filing of this  
7 Motion for Reconsideration.

8 WHEREFORE it is requested that the Court grant this Motion for Partial  
9 Reconsideration and temporarily enjoin the United States and the Commissioner of Internal  
10 Revenue from levying (1) the statutorily exempt portion of the plaintiff's salary and wages,  
11 and (2) the 50% portion of the plaintiff's salary and wages in which the assessed taxpayer,  
12 Thomas E. Seidel, has no community interest, until such time as the scheduled hearing on the  
13 requested preliminary injunction can be completed.

14  
15 DATED: This 22<sup>nd</sup> day of June, 2007.

16 Respectfully submitted,

17  
18 /s/ Robert Alan Jones  
19 Robert Alan Jones, Esq.  
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27  
28 /s/ Chris Dietrich  
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**CERTIFICATE OF SERVICE**

This is to certify that on June 22, 2007, I caused to be served the foregoing **MOTION FOR PARTIAL RECONSIDERATION OF ORDER DENYING MOTION FOR TEMPORARY RESTRAINING ORDER**, using the electronic court filing system, and will be distributed to all parties shortly after its filing.

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Dated this 22<sup>nd</sup> day of June, 2007.

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*/s/ Stephanie Burton*  
Office of Robert Alan Jones